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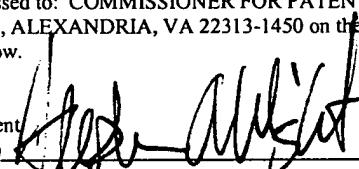
BCF/SW:lcm 10/21/05 3382-64489-01 438690 303348.01

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Kenworthy**Application No.** 10/609,187**Filed:** June 26, 2003**Confirmation No.** 7623**For:** HARDWARE/SOFTWARE CAPABILITY  
RATING SYSTEM**Examiner:** Beausoliel Jr.**Art Unit:** 2122**Attorney Reference No.** 3382-64489-01**CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent  
for Applicant(s) Date Mailed October 24, 2005**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.97(b)(3)**

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language and/or non-English-language documents. Applicant respectfully requests that these documents be listed as references cited on the issued patent.

Copies of United States patents and United States published patent applications do not have to be provided to the Patent Office (37 C.F.R. 1.98(a)(2)(ii)). Copies of unpublished U.S. applications do not have to be provided, as long as the application is available on PAIR, as this requirement of 37 C.F.R. § 1.98(a)(2)(iii) has been waived by the United States Patent and Trademark Office pursuant to the Official Gazette Notice on October 19, 2004 (1287 OG 163). Applicant will provide copies of such patents or applications upon request.

Applicant filed this Information Disclosure Statement (“IDS”) before the mailing date of a first Office action on the merits. As a result, no fee should be required to file this IDS.

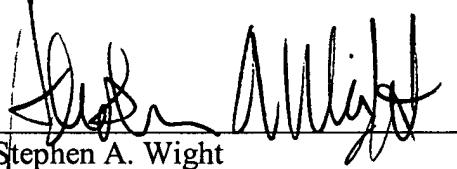
However, if the Patent Office determines that a fee is required for Applicant to file this IDS, please charge any such fees, or credit overpayment, to Deposit Account No. 02-4550. A **duplicate copy of this Information Disclosure Statement is enclosed.**

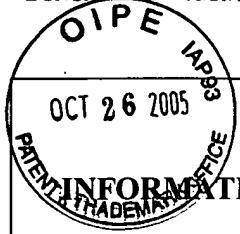
The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R. §1.56.

Respectfully submitted,

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OCT 26 2005

## **ON DISCLOSURE STATEMENT BY APPLICANT**

|                               |                |
|-------------------------------|----------------|
| <b>Attorney Docket Number</b> | 3382-64489-01  |
| <b>Application Number</b>     | 10/609,187     |
| <b>Filing Date</b>            | June 26, 2003  |
| <b>First Named Inventor</b>   | Kenworthy      |
| <b>Art Unit</b>               | 2122           |
| <b>Examiner Name</b>          | Beausoliel Jr. |

## **FOREIGN PATENT DOCUMENTS**

\* Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant.